

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BOARD OF MANAGERS OF THE
195 HUDSON STREET CONDOMINIUM,

: Hon. Peter K. Leisure

Plaintiff,

: 07 Civ. 4058 (PKL)

- against -

:

JEFFREY M. BROWN ASSOCIATES, INC. and
LEXINGTON INSURANCE COMPANY,

:

**DECLARATION OF
SANDRA GUZMAN**

:

Defendants.

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I, SANDRA GUZMAN, declare as follows:


1. I am a paralegal with the law firm of Judd Burstein, P.C. I respectfully submit this Declaration in opposition to defendant Jeffrey M. Brown Associates, Inc.'s ("JMB") motion to dismiss.

2. The purpose of this Declaration is to set forth the following facts that are relevant to this motion:

- a. On or about August 3, 2007, I went to the Supreme Court of the State of New York, County of New York, Courthouse located at 60 Centre Street, New York, New York, in order to review the case files for two litigations: (i) *Northeast Restoration Corp. v. K&J Construction Co., L.P., et al.*, Supreme Court of the State of New York, New York County, Index No. 602171/00, and (ii) *Northeast Restoration Corp. v. Board of Managers of the 195 Hudson Street Condominium, et al.*, Supreme Court of the State of New York, New York County, Index No. 600664/02.

- b. Upon speaking with a clerk and reviewing the docket sheet, I was informed that both of the above-referenced cases were consolidated under the Index No. 602171/00.
- c. Additionally, I was advised that the case was closed and the file was located at the Surrogate's Court/New York City's Department of Records Building located at 31 Chambers Street, New York, New York.
- d. Thereafter, I went to 31 Chambers Street and spent several hours reviewing a hard copy of the case file.
- e. Upon my review of the case file and the docket report, I could not find a Reply or an Answer to the Board of Managers of the 195 Hudson Street Condominium's Cross-Claims filed by JMB.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 30th day of August, 2007, in New York, New York.


SANDRA GUZMAN